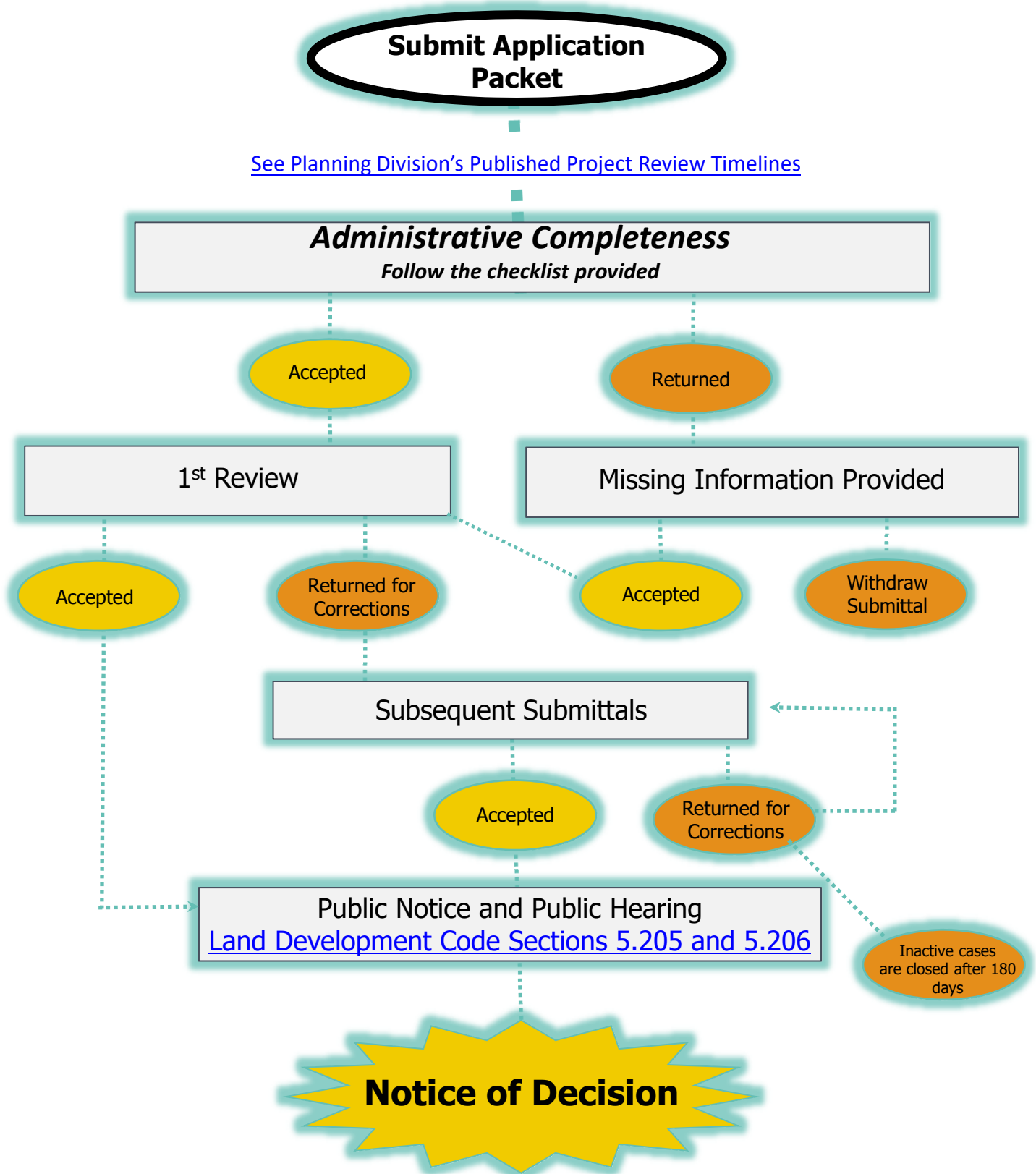


Zoning – Conventional / Planned Area Development Overlay



Zoning – Conventional / Planned Area Development Overlay

- Prior to submitting an application for Rezoning, an applicant must complete the Neighborhood Meeting and Pre-Application meeting review process.
- All applications to amend the text of the Zoning Code, a zoning ordinance, or the Official Zoning Map shall be subject to a citizen review process. The citizen review process shall at a minimum consist of a neighborhood meeting or a work study session of the Planning Commission.
- Applicants requesting modifications may be required to provide additional written notice to adjacent properties, describing how said properties would be specifically impacted by such modifications.
- Amendments to rezone may be initiated by the Town or by formal application by the property owner or an agent authorized in writing for an amendment to the Official Zoning Map or a zoning ordinance governing the property.
- Prop 207 Waiver (Diminution in Value)
 - Title Report – If the title report is more than a month old, it will not be considered current.
 - Proof of signatures rights will be needed for LLC's or Corporation's.
- Rezoning requests will be heard by the Planning Commission and the final decision will be made by Town Council. Scheduled meeting dates can be found on the [Town Public Meeting dates](#) calendar.
- Useful Links on Gilbert's Planning & Development webpage:
 - [Development Fee Schedule](#)
 - [Planning Division Project Review Timelines](#)
 - [General Plan Character Area Map](#)
 - [Zoning and Land Development Code](#)
 - [Zoning Map Noting Overlay Zoning Districts](#)

Zoning – Conventional / Planned Area Development Overlay

Submittal Formatting, Required Materials and Checklist:

- ☐ Over the Counter Submittal:
 - ☐ **Submit electronic copy** of ALL required items on checklist. **(No 24" x 36")**
 - ☐ Submit a hard copy (8.5" x 11 or 11" x 17" only) of the entire packet with the electronic copy and payment. **(No 24" x 36")**
 - ☐ **Purge** images of unnecessary blocks and layers (single layer).
 - ☐ **Save each exhibit as a separate PDF per document naming below..**

Document Naming:

- ☐ Exhibit 1: Application
- ☐ Exhibit 2: Project Narrative
- ☐ Exhibit 3: Parcel/Aerial Map
- ☐ Exhibit 4: Proposition 207 (Diminution in Value) Waiver Form with Exhibits
- ☐ Exhibit 5: Pre-Application Meeting Comments and Responses
- ☐ Exhibit 6: Neighborhood Meeting Materials
- ☐ Exhibit 7: ALTA Survey (for undeveloped properties)
- ☐ Exhibit 8: Zoning Exhibit
- ☐ Exhibit 9: Legal Description (to centerline of street(s))
- ☐ Exhibit 10: Development Plan (required for PAD overlay only)
- ☐ Exhibit 11: Phase Plan (if applicable)
- ☐ Exhibit 12: Traffic Impact Analysis/Study (if required by Town)
- ☐ Exhibit 13: Non-Per Capita Water Conservation Form
- ☐ Exhibit 14: Neighborhood Environmental Design Analysis (Santan Freeway Overlay District)
- ☐ Exhibit 15: Public Hearing Neighborhood Notice

Checklist

- ☐ **Exhibit 1: Application**
 - ☐ Must be fully completed and signed.

- ☐ **Exhibit 2: Project Narrative**

Rezoning

- ☐ Project Narrative should be typed in a 12pt font and no more than 5 pages in length
- ☐ Description of proposed project;
- ☐ Description of proposed base zoning districts and uses; and
- ☐ Information on how the project complies with the General Plan and any other adopted plans or zoning requirements

Only required for PADS

- ☐ Analysis of proposed zoning deviations/modification and justification for the request.

- ☐ **Exhibit 3: Parcel Map/Aerial Map**

- ☐ Maricopa County Assessor Parcel Map (8.5" x 11" –Highlight project area and provide parcel number (s))
- ☐ Aerial with Parcel Boundary

☐ **Exhibit 4: Proposition 207 Waiver with Exhibits**

- ☐ Notarized [Proposition 207 Waiver](#) (Diminution in Value) with required exhibits
 - ☐ Exhibit A – Title Report (current)
 - ☐ Exhibit B – Legal Description & Map of Site
 - ☐ Exhibit C – Requested action setting forth any modifications, changes, deletions, or additions.

☐ **Exhibit 5: Pre-Application Meeting Comments and Responses**

- ☐ Responses to the comments from the Pre-Application Meeting

☐ **Exhibit 6: Neighborhood Meeting Material**

- ☐ Neighborhood Notice Letter; sign in sheet from meeting, map & property owner information within 300 ft. (660 ft. if in Santan Character area) for neighborhood mailing and the Neighborhood Meeting Minutes

☐ **Exhibit 7: ALTA Survey (for undeveloped properties)**

☐ **Exhibit 8: Zoning Exhibit**

- ☐ Vicinity Map;
- ☐ Graphic scale, north arrow, exhibit date;
- ☐ Black and white line drawing of proposed zoning district gross boundaries (drawn to centerline of the ROW);
- ☐ Adjacent rights-of-way and easements showing existing (use solid lines) and future improvements (use dashed lines);
- ☐ Availability of public utilities;
- ☐ Adjacent zoning districts, adjacent properties, and structures within 300 feet;
- ☐ Project data table including: gross and net acres; density (based on gross acres); current and proposed base zoning district(s) and General Plan classification(s); and percent of total acreage in each base zoning district

☐ **Exhibit 9: Legal Description**

- ☐ Metes and bounds description of the property including total gross acreage to centerline of ROW, sealed and signed by a Registered Engineer or Surveyor;

☐ **Exhibit 10: Development Plan (for a PAD overlay)**

- ☐ Vicinity Map;
- ☐ Graphic scale, north arrow, exhibit date;
- ☐ Conceptual site plan and/or layout;
- ☐ Adjacent rights-of-way and easements showing existing (use solid lines) and future improvements (use dashed lines);
- ☐ Proposed points of access to streets and adjacent properties;
- ☐ Project phasing, if applicable
- ☐ Off-site improvements, if any; and
- ☐ Modified development standards (i.e., setbacks, height, lot coverage and dimensions) showing both proposed and existing standards;

☐ **Exhibit 11: Phasing Plan (if applicable)**

- ☐ Parcels designated with each phase;
- ☐ Off-site and On-site improvements with each phase; and
- ☐ Open space areas with each phase;

☐ **Exhibit 12: Traffic Impact Analysis/Study (if required by Town)**

- ☐ The Town Traffic Engineer may require a Traffic Impact Analysis/Study to determine the impacts of the request.

☐ **Exhibit 13: Non-Per Capita Water Conservation Form**

- ☐ Make sure to complete [Rezoning](#) Non Per Capita Water Conservation form for your project.

☐ **Exhibit 14: Neighborhood Environmental Design Analysis (if applicable)**

- ☐ Required for all noise sensitive uses located in the Santan Freeway Overlay District.

☐ **Exhibit 15: Public Hearing Neighborhood Notice**

- ☐ Please refer to Section 5.602.A.3 of the Land Development Code for requirements;
- ☐ A parcel map highlighting properties within 300 feet, Homeowners Associations and neighborhoods within 1000 feet of the property, and the typed names and address of all property owners identified on parcel map (<http://mcassessor.maricopa.gov/>);
- ☐ Neighboring properties whose property rights are negatively impacted by the proposed project require a separate comprehensive notice detailing the proposed changes and how it impacts their property.



Plan Type: Zoning

Pre-Application #: _____

Description (Proposal Name): _____

Address or Location: _____

Request: ☐ Conventional ☐ PAD Overlay ☐ PAD Amendment ☐ PAD Amendment - Standards ☐ PAD Amendment - Other

Request Summary (briefly describe proposal here and attach a detailed narrative): _____

Current Zoning District: _____

Proposed Zoning District: _____

APN/Tax Parcel Numbers: _____

Gross/Net Acres: _____

General Plan Character Area: ☐ Santan ☐ Heritage District
(if applicable) ☐ Gateway ☐ Morrison Ranch

Overlay Zoning District: ☐ Santan Freeway Corridor ☐ Phx/Mesa Gateway Airport
☐ Vertical Development

Property Owner: (All information must be provided)

Name (print): _____ E-mail: _____

Address: _____

City, Zip: _____

Phone: _____ ☐ Business ☐ Mobile ☐ Home ☐ Other

Signature*: _____ Date: _____

*If signature is not provided above, a letter of authorization from the property owner is required.

Applicant/Contact: (All information must be provided)

Company: _____

Contact: _____ E-mail: _____

Address: _____

City, Zip: _____

Phone: _____ ☐ Business ☐ Mobile ☐ Home ☐ Other

Signature: _____ Date: _____

Administrative Completeness Review

Staff will review the application to ensure all required documents and information has been included. If required information is missing, applicant will be notified that the application has been rejected until all required information is submitted. If the application is rejected, upon resubmittal, a new Administrative Completeness Review will be conducted. Staff may also determine if the request does not fall under the purview of this application type.

A.R.S. § 9-843. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.